

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 21 2003

OFFICE OF PETITIONS  
PATENT APPLICATION

244/1030  
PATENT APPLICATION

#5

DAC

APPLICANT : Joseph OVADIA

ART UNIT: 3728

SERIAL NO.: 09/974,762

EXAMINER: UNKNOWN

FILED : October 9, 2001

FOR : UNITARY MOLDED CLIP

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on October 14, 2003

Richard M. Goldberg  
(Name of Registered Representative)

*Richard M. Goldberg* October 14, 2003  
(Signature and Date)

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby files this Petition to Revive an Unintentionally Abandoned Application pursuant to 37 C.F.R. 1.137(b).

Enclosed are the following:

a) Form PTO/SB/64 - Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. 1.137(b), with authorization to charge Deposit Account No. 07-1524 for the petition fee of \$665.00.

b) Copy of Notice of Abandonment under 37 C.F.R. 1.53(f) or

c) Response to Notice to File Missing Parts of Nonprovisional Application under 37 Cfr 1.53(b), with authorization to charge Deposit Account No. 07-1524 for the filing fee of \$385.00.

d) Copy of Notice to File Missing Parts of Nonprovisional Application Filed under 37 C.F.R. 1.53(b).

e) Declaration and Power of Attorney in favor of the undersigned;

f) Revocation and New Power of Attorney in favor of the undersigned;

g) Form PTO/SB/122 - Change of Correspondence Address - Application.

h) New Figs. 1-7 (10 sheets) with correct margins.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

It is requested that the present application be revived and be accorded the filing date of October 9, 2001.

The Applicant qualifies for small entity status.

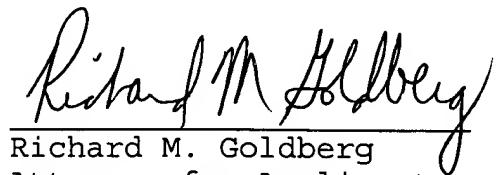
**As applicants qualify for small entity status, the Commissioner is authorized to charge Deposit Account No. 07-1524 in the amount of \$1,050.00 to cover the following:**

(a) Filing fee (including extra claims) .....	\$385.00
(b) Petition Fee .....	\$665.00

The Commissioner is further authorized to charge any deficiencies associated with this petition or credit any overpayment to Deposit Account No. 07-1524.

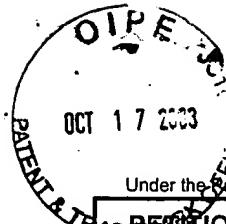
Accordingly, it is requested that the present Application, which was unintentionally abandoned, be revived.

Respectfully submitted,



Richard M. Goldberg  
Attorney for Applicant  
Registration No. 28,215

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Suite 419  
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TEL (201) 343-7775  
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OCT 17 2003

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
244/1/030First named inventor: **Joseph OVADIA**Application No.: **09/974,762**Art Unit: **3728**Filed: **October 9, 2001**Examiner: **Unknown**Title: **UNITARY MOLDED CLIP***RECEIVED  
OCT 21 2003  
OFFICE OF PETITIONS*

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**

the form of response to Notice to File Missing Parts (identify type of reply):

has been filed previously on \_\_\_\_\_

is enclosed herewith.

**B. The issue fee of \$ \_\_\_\_\_.**

has been paid previously on \_\_\_\_\_.

is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

OCTOBER 14, 2003

Date



Signature

Telephone

Number: (201) 343-7775

Richard M. Goldberg

Typed or printed name

25 East Salem Street  
Suite 419

Address

Enclosures:  Fee Payment

Hackensack, New Jersey 07601

to be charged to Dep. Acct. 07-1524 Address  
 Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Revocation and New Power of Attorney;  
 Other: Executed Declaration and Power of Attorney

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

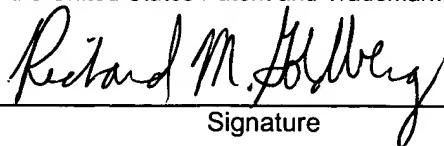
I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

OCTOBER 14, 2003

Date



Signature

Richard M. Goldberg

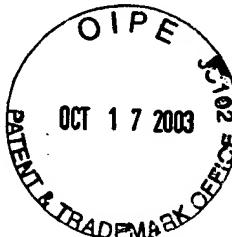
Type or printed name of person signing certificate



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/974,762	10/09/2001	Joseph Ovadia	618-017



SOFER & HAROUN, L.L.P.  
 317 Madison Avenue  
 Suite 910  
 New York, NY 10017

CONFIRMATION NO. 7030  
 ABANDONMENT/TERMINATION  
 LETTER



\*OC000000010764991\*

Date Mailed: 08/26/2003

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 11/20/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE